



UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/773,880 Confirmation No. 7460  
First Named : Phil Verinsky  
Inventor  
Filed : 2/6/2004  
TC/A.U. : Optical Drive Controller with a host Interface for  
Direct Connection to an  
IDE/ATA Data Bus Art Unit 2185  
Examiner : Thuan N. Du  
Docket No. : 3551.P006C3  
Customer No. : 08791

MS: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

THIRD NOTIFICATIONS OF RELATED LITIGATION UNDER MPEP § 2001.06 (C)

Examiner:

Applicant submitted a First and Second Notice of Related Litigation (and associated materials) on August 4, 2004 and June 10, 2005 regarding: A) an investigation (337-TA-409) instituted by the International Trade Commission regarding patent number 5,581,715 (which issued based on a parent of this application) & Appeal therefrom to the CAFC;<sup>1</sup> B) Northern District of California Proceeding Regarding the 5,581,715 Patent; C) ITC Proceedings regarding the 6,584,527 and 6,546,440 Patents; and D) Northern District<sup>2</sup> of California Proceeding Regarding the 6,584,527 and 6,546,660 Patents.

Applicant submits updates regarding the litigation below using the same reference letters (A-D) used in the First and Second Notice of Related Litigation.

A. ITC Proceedings (337-TA-409) and Appeal Therefrom to the CAFC regarding the 5,581,715 Patent

There are no new materials from these proceedings to submit.

B. Northern District of California Proceeding Regarding the 5,581,715 Patent

Unfortunately, the other documents in these proceedings have largely been filed under seal. However, it is believed that they will be largely cumulative with regard to the ITC proceedings discussed in the next section.

C. ITC Proceedings (337-TA-506) regarding the 6,584,527 and 6,546,440 Patents

Please note that these proceeding include an additional patent, the 6,466,736 patent, which is not part of the same patent family as the '527 and 440 patents.

The attached IDS includes the public version of the Initial Determination of the ALJ.<sup>3</sup> The ALJ found that the asserted claims of the '527 and '440 patents to be valid and enforceable (e.g., see cover page of decision and pages 128-156).

As indicated in the Second Notice of Related Litigation, the Initial Determination is being appealed to the Commission. The attached IDS includes public versions of the briefs for the appeal; specifically: 1) the Complainant's (Zoran and Oak) Petition for Review<sup>4</sup> and the Respondent's Opposition,<sup>5</sup>; 2) the Respondent's Petition for Review<sup>6</sup>

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<sup>1</sup> There was also a prior ITC investigation regarding this patent (337-TA-401). However, the issues raised in the 337-TA-401 are subsumed in the ITC investigation (337-TA-409)

<sup>2</sup> These proceedings were transferred to the Northern District of California.

<sup>3</sup> Public Version of Final Initial and Recommended Determinations, In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated May 16, 2005 (198 pgs)

<sup>4</sup> Public Version of Petition for Review of Complainants Zoran Corporation and Oak Technology, Inc., In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated May 27, 2005 (50 pgs)

<sup>5</sup> Public Version of Respondent's Opposition to Complainant's Petition for Review, In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC

and the Complainant's (Zoran and Oak) Reply;<sup>7</sup> and 3) the ITC Staff's Response to Complainants' and Respondents' Petition for Review of the Initial Determination.<sup>8</sup>

D. Northern District<sup>9</sup> of California Proceeding Regarding the 6,584,527 and 6,546,440 Patents

There are no new materials from these proceedings to submit.

*Conclusion*

As before, there are additional materials beyond what is enclosed. If any such additional materials are desired, applicant will make its best effort to provide such documents upon request.

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Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated June 6, 2005 (40 pgs)

<sup>6</sup> Public Version of Respondent's Petition for Review of Final Initial and Recommended Determinations, In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated May 27, 2005 (206 pgs)

<sup>7</sup> Public Version of Complainants Zoran Corporation and Oak Technology, Inc.'s Reply to Respondent's Petition for Review, In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated June 6, 2005 (163 pgs)

<sup>8</sup> Public Version of Office of Unfair Import Investigations' Response to Petitions for Review of Initial Determination, In the Matter of Certain Optical Disk Controller Chips and Chipsets and Products Containing Same, Including DVD Players and PC Optical Storage Devices, United States International Trade Commission Washington, D.C., Investigation No. 337-TA-506, dated June 15, 2005 (53 pgs)

<sup>9</sup> These proceedings were transferred to the Northern District of California.

*Invitation for a telephone interview*

The Examiner is invited to call the undersigned at 408-720-8300 if there any questions regarding this material.

*Charge our Deposit Account*

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8/5, 2005

  
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